

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
February 16, 2022

Name of Offender: **Jermaine Xavier Frederick**

Case Number: **2:16CR00235**

Name of Sentencing Judicial Officer: **Honorable Kent J. Dawson**

Date of Original Sentence: **May 4, 2017**

Original Offense: **Felon in Possession of a Firearm; Possession of a Controlled Substance**

Original Sentence: **70 Months prison, followed by 36 Months TSR.**

Date Supervision Commenced: **August 27, 2021**

Name of Assigned Judicial Officer: **Honorable Kent J. Dawson**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

1. **No Gang Affiliation** – You must not communicate, or otherwise interact, with any known member of any gang, without first obtaining the permission of the probation officer.
2. **Cognitive Behavioral Treatment** – You must participate in a cognitive behavioral treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). Such programs may include group sessions led by a counselor or participation in a program administered by the probation office.

RE: Jermaine Xavier Frederick

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CAUSE

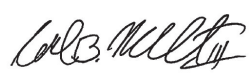
On May 4, 2017, Jermain Frederick was sentenced to 70 months custody followed by 36 months supervised release for committing the offenses of Felon in Possession of a Firearm and Possession of a Controlled Substance with Intent to Distribute. On August 27, 2021, Frederick commenced supervised release.

At the time of sentencing, the Court added as a condition of release that Frederick complete a mental health assessment. Frederick completed a mental health assessment in November 2021, and it was recommended he complete individual mental health sessions along with cognitive behavioral treatment. The probation office concurred with treatment's recommendation and request that his conditions be modified to include cognitive behavioral treatment. Frederick is also in agreement with this modification as evidenced by his signature on the attached probation form 49.

Additionally, on January 31, 2022 the probation office was notified by the Las Vegas Metropolitan Police Department that officers conducted a traffic stop on a vehicle and found Frederick along with several other known gang members in the car. The probation office spoke with Frederick regarding this incident and he stated he was just hanging out with some friends. Frederick was admonished for this and advised that associating with gang members will have a negative impact on him completing supervision successfully.

To address his recent gang associations, the probation office recommends that his conditions be modified to include no contact with known gang members which, Frederick has also agreed to as evidenced by his signature on the attached probation form 49.

Respectfully submitted,

Digitally signed by
 Cecil B McCarroll III
Date: 2022.02.16
14:59:01 -08'00'

Cecil McCarroll
United States Probation Officer

Approved:



Digitally signed by Brian
Blevins
Date: 2022.02.16
14:38:13 -08'00'

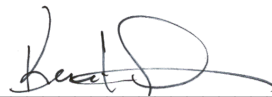
Brian Blevins
Supervisory United States Probation Officer

RE: Jermaine Xavier Frederick

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THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



Signature of Judicial Officer

2/18/2022

Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

District of Nevada

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

No Gang Affiliation – You must not communicate, or otherwise interact, with any known member of any gang, without first obtaining the permission of the probation officer.

Witness


U.S. Probation Officer

Signed


Probationer or Supervised Releasee

Date



PROB 49
(3/89)

UNITED STATES DISTRICT COURT

District of Nevada

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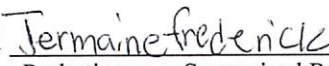
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Witness


U.S. Probation Officer

Signed


Probationer or Supervised Releasee

Date

